

SENATE BILL No. 379

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-5-1.1; IC 25-1.

Synopsis: Veterinary practice. Provides that the state veterinarian is the executive secretary and technical adviser of the Indiana board of veterinary medical examiners (the board). Provides that the board may enter into an agreement with the Indiana state board of animal health to use the Indiana state board of animal health's staff and facilities. Removes the board from the health professions bureau. Provides a procedure for filing and investigating a complaint against a person licensed under this chapter. Prohibits the board from issuing a license to an individual unless the individual's property taxes are paid. Specifies the effect of a criminal conviction on the status of a person's license. Provides for the revocation of an individual's license if the
(Continued next page)

Effective: July 1, 1999.

Jackman

January 11, 1999, read first time and referred to Committee on Health and Provider Services.



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Digest Continued

individual is delinquent in paying child support. Allows a person in the person's last term of study at an accredited veterinary school to submit an application for a license with a letter from the dean of the school instead of a transcript. Provides for an inactive status of a veterinary license under certain conditions. Provides for the enforcement of standards of practice by the board. Makes conforming amendments. Makes technical corrections.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 379

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 15-5-1.1-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. As used in this
3 chapter:
4 "Accredited college of veterinary medicine" means a veterinary
5 college or division of a university or college that:
6 (1) offers the degree doctor of veterinary medicine or its
7 equivalent;
8 (2) conforms to the standards required for accreditation by the
9 American Veterinary Medical Association; and
10 (3) is accredited by the American Veterinary Medical Association
11 or an accrediting agency that has been approved by the United
12 States Office of Education or its successor.
13 "Animal" means any animal other than man and includes birds, fish,
14 mammals, and reptiles, wild or domestic.
15 "Approved program" means a program in veterinary technology

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that:

(1) conforms to the standards required for accreditation by the American Veterinary Medical Association; and

(2) is accredited by the American Veterinary Medical Association or an accrediting agency that has been approved by the United States ~~Office~~ **Department** of Education or its successor.

"Board" means the Indiana board of veterinary medical examiners created by this chapter.

~~"Bureau" refers to the health professions bureau established by IC 25-1-5-3.~~

"ECFVG certificate" means a certificate issued by the American Veterinary Medical Association Educational Commission for Foreign Veterinary Graduates, indicating that the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an accredited college of veterinary medicine.

"Extern" means a senior veterinary student enrolled in an accredited college of veterinary medicine, or a second year student enrolled in an approved program in veterinary technology, employed by or working with a licensed veterinarian and under his direct supervision.

"Licensed veterinarian" means an individual who is licensed pursuant to this chapter to practice veterinary medicine in this state.

"Person" means an individual, an incorporated or unincorporated organization or association or a group of such persons acting in concert.

"Practitioner" means an individual who holds:

- (1) an unlimited license, certificate, or registration;**
- (2) a limited or probationary license, certificate, or registration;**
- (3) a temporary license, certificate, registration, or permit;**
- (4) an intern permit; or**
- (5) a provisional license;**

issued by the board.

"Practice of veterinary medicine" means:

- (1) representing oneself as engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry in any of its branches or using words, letters, or titles in a connection or under circumstances that **may** induce another person to believe that the person using them is engaged in the practice of veterinary medicine, veterinary surgery, or veterinary dentistry;
- (2) accepting remuneration for doing any of the things described in subdivisions (3) through (6);
- (3) diagnosing a specific disease or injury, or identifying and



describing a disease process of animals, or performing any procedure for the diagnosis of pregnancy, sterility, or infertility upon animals;

(4) prescribing a drug, medicine, appliance or application, or treatment of whatever nature for the prevention, cure, or relief of bodily injury or disease of animals;

(5) performing a surgical or dental operation upon an animal; or

(6) administering a drug, medicine, appliance, application, or treatment of whatever nature for the prevention, cure, or relief of a wound, fracture, or bodily injury or disease of animals, except where such drug, medicine, appliance, application, or treatment is administered at the direction and under the direct supervision of a veterinarian licensed under this chapter.

"Registered veterinary technician" means a veterinary technician registered pursuant to this chapter to work under the direct supervision of a licensed veterinarian.

"Veterinarian" means an individual who was a licensed veterinarian on August 31, 1979, or who has received a professional degree from an accredited college of veterinary medicine.

"Veterinary medicine" includes veterinary surgery, obstetrics, dentistry, acupuncture, and all other branches or specialties of veterinary medicine.

"Veterinary technician" means an individual who has successfully completed a program in veterinary technology of at least two (2) years in a school that conforms to the standards required for accreditation by the American Veterinary Medical Association and that is accredited by the American Veterinary Medical Association.

SECTION 2. IC 15-5-1.1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) The board shall hold an annual meeting in Indianapolis and other regular meetings during each year and at such places as it may fix.

(b) The board may hold such special meetings as it deems necessary. The chairman or two (2) members of the board may call a special meeting.

(c) Four (4) members of the board constitute a quorum.

(d) All meetings shall be open and public except that the board may meet in closed session to prepare, approve, administer, or grade examinations, or to deliberate the qualifications of an applicant for license or registration or the disposition of a proceeding to discipline a licensed veterinarian or registered veterinary technician.

(e) Minutes of each regular and special meeting shall be compiled and kept as a permanent record in the same office as other records of



the board are kept. The ~~responsibility for executive secretary of the board is responsible for~~ the care and safekeeping of ~~such the~~ minutes. ~~shall devolve upon the bureau.~~

(f) Each member of the board is entitled to reimbursement for traveling and other expenses as provided in the state travel policies and procedures established by the department of administration and approved by the state budget agency.

SECTION 3. IC 15-5-1.1-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) At its annual meeting the board shall elect a chairman and vice chairman and such other officers as it may determine. Such officers shall serve for terms of one (1) year or until a successor is elected. There is no limitation on the number of terms an officer may serve.

(b) The state veterinarian ~~shall be~~ is the **executive secretary and** technical advisor of the board.

(c) The duties of the ~~bureau~~ **executive secretary** include:

- (1) corresponding for the board;
- (2) keeping accounts and records of all receipts and disbursements by the board;
- (3) keeping records of all applications for license or registration;
- (4) keeping a register of all persons currently licensed or registered by the board; ~~and~~
- (5) keeping permanent records of all board proceedings; **and**
- (6) performing duties delegated to the executive secretary by the board.**

SECTION 4. IC 15-5-1.1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. (a) The powers enumerated in this section are granted for the purpose of enabling the board to effectively supervise the practice of veterinary medicine and are to be construed liberally to accomplish this objective.

(b) The board is vested with the sole authority to determine the qualifications of applicants for:

- (1) a license to practice veterinary medicine in this state; and
- (2) registration to practice as a veterinary technician in this state.

(c) The board is vested with the sole authority to issue, renew, deny, suspend, or revoke:

- (1) licenses and special permits to practice veterinary medicine in this state; and
- (2) registrations or special permits to practice as a veterinary technician in this state.

(d) The board is vested with sole authority to discipline licensed veterinarians and registered veterinary technicians consistent with the



provisions of this chapter and the rules adopted thereunder.

(e) The board is vested with the sole authority to determine the examinations applicants are required to take, the subjects to be covered, and the places where and the dates on which examinations will be given.

(f) The board may establish by rule minimum standards of continuing education for the renewal of licenses to practice veterinary medicine and for the renewal of registrations as a veterinary technician.

(g) The board shall adopt by rule standards of professional conduct for the competent practice of veterinary medicine and the competent practice of a veterinary technician.

~~(h) Subject to IC 25-1-7, The board may conduct investigations for the purpose of discovering violations of this chapter:~~

~~(1) by licensed veterinarians or registered veterinary technicians;~~
~~or~~

~~(2) by persons practicing veterinary medicine without a license or persons practicing as a registered veterinary technician without being registered.~~

~~(i)~~ The board may inspect, without notice and during normal working hours, veterinary hospitals, clinics, or other establishments to determine if such places meet the board's standards of cleanliness and sanitation as defined by the board's rules.

~~(j)~~ **(i)** The board may hold hearings on all matters properly brought before it and in connection thereto may administer oaths, receive evidence, make findings, and enter orders consistent with the findings. The board may require by subpoena the attendance and testimony of witnesses and the production of papers, records, or other documentary evidence and commission depositions. The board may designate one (1) or more of its members to serve as its hearing officer.

~~(k)~~ **(j)** The board may bring proceedings in the courts for the enforcement of this chapter or any rules made pursuant thereto.

~~(l)~~ **(k)** The board ~~shall~~ **may** have fees collected for examining and licensing veterinarians and for examining and registering veterinary technicians.

~~(m)~~ **(l)** The board may enter into reciprocal agreements with its counterpart boards in other states and may effect such agreements by rule.

~~(n)~~ **(m)** The board may appoint from its own membership one (1) or more members to act as representatives of the board at any meeting within or without the state where such representation is deemed desirable.

~~(o)~~ **(n)** The ~~bureau shall~~ provide the board with **may employ or**



1 **contract with** full or part-time professional and clerical personnel **and**
 2 **supplies including printed matter and equipment** necessary to
 3 effectuate the provisions of this chapter.

4 ~~(p)~~ **(o)** The board may, in the manner prescribed by IC 4-22-2, adopt
 5 such reasonable rules as it deems necessary for the performance of its
 6 duties, consistent with this chapter and other applicable laws of this
 7 state. Any rule adopted under, and applicable to, the prior veterinarian
 8 and veterinary technician licensing and registration laws (IC 15-5-1
 9 and IC 15-5-1.5) continues in effect under this chapter until rescinded
 10 or amended by the board.

11 ~~(q)~~ **(p)** The board may adopt an appropriate seal which may be
 12 affixed to all license and registration certificates and other official
 13 documents of the board.

14 **(q) The board is a regulatory board within the meaning of**
 15 **IC 25-1-3-1.**

16 **(r) To carry out the duties of the board, including the**
 17 **investigation of violations under this chapter, the board may enter**
 18 **into agreements with the Indiana state board of animal health**
 19 **established by IC 15-2.1-3-1 to use facilities, equipment, personnel,**
 20 **or resources of the Indiana state board of animal health.**

21 SECTION 5. IC 15-5-1.1-8.2 IS ADDED TO THE INDIANA
 22 CODE AS A NEW SECTION TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 1999]: Sec. 8.2. (a) **A complaint against a**
 24 **person licensed under this chapter must be in writing and signed**
 25 **by the complainant before it may be filed with the board. The**
 26 **board or a member of the board may file a complaint. An employee**
 27 **of the office of the attorney general acting in the employee's official**
 28 **capacity may not file a complaint under this chapter.**

29 **(b) The board shall designate a complaint officer for the board.**
 30 **If the board receives a complaint, the complaint officer shall**
 31 **review the complaint and determine whether to investigate the**
 32 **complaint based on the likely merits of the complaint. The**
 33 **complaint officer may be a member or a committee of the board.**

34 **(c) If the complaint officer chooses to investigate the complaint**
 35 **under subsection (b), the board shall, by any reasonable means,**
 36 **notify a licensee who is the subject of the complaint of the**
 37 **investigation.**

38 **(d) The board is responsible for the investigation of complaints**
 39 **against individuals licensed under this chapter and individuals**
 40 **alleged to have been practicing veterinary medicine without a**
 41 **license or practicing as a registered veterinary technician without**
 42 **being registered. The board may:**



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- (1) refer complaints to the office of the attorney general for investigation;
- (2) instruct the complaint officer to investigate complaints or refer complaints for investigation; or
- (3) enter into an agreement with the Indiana state board of animal health under section 8 of this chapter to investigate complaints.

The scope of an investigation conducted under this chapter must be limited to allegations in a written complaint filed with the board under this section that suggest apparent violations of laws or rules enforced by the board.

(e) To investigate a complaint or prosecute a violation under this chapter, the board may:

- (1) subpoena witnesses;
- (2) request the production of books, records, papers, and documents; and
- (3) commission depositions.

A circuit or superior court with jurisdiction in the county in which the subpoena is issued shall enforce a properly issued subpoena upon request of the board.

(f) The board shall receive information from investigations conducted under this chapter. The board shall review and make a determination on each matter investigated. The board may:

- (1) return the matter to the complaint officer or the investigator for additional information and investigation;
- (2) refer the matter to the attorney general for prosecution;
- (3) resolve the matter by accepting a settlement proposed by the complainant and the accused;
- (4) enter into a settlement with the accused; or
- (5) find the complaint is without merit, moot, or otherwise unfit for prosecution.

Prosecutions before the board shall be conducted pursuant to IC 4-21.5.

(g) At a hearing, the board or the hearing officer may call witnesses in addition to those presented by the state or the licensee. A board member may not adjudicate a matter if the member filed the complaint or participated in negotiations related to the complaint. A hearing officer may not be disqualified from participating in the board's final determination solely because of the individual's status as the hearing officer.

SECTION 6. IC 15-5-1.1-8.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 1999]: **Sec. 8.3.** Unless disclosure is required by law or is in furtherance of an investigation, the board shall hold complaints and information pertaining to complaints in strict confidence until an investigation is brought before the board for a determination under IC 15-5-1.1-8.2(f).

SECTION 7. IC 15-5-1.1-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 8.5.** The board may not issue a license or registration to a person who is a resident of Indiana if a government agency provides the board with evidence proving the person has not paid all of the person's personal property taxes.

SECTION 8. IC 15-5-1.1-8.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 8.6.** (a) Except as provided under subsections (b) and (c), a license or certificate of registration that an individual is required by law to hold under this chapter may not be denied, revoked, or suspended because the applicant or holder is convicted of an offense. However, the acts from which the applicant's or holder's conviction results may be considered as to whether the applicant or holder may be entrusted to serve the public in a specific capacity.

(b) The board may suspend or revoke a license or certificate issued under this chapter if the individual who holds the license or certificate is convicted of any of the following:

- (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- (2) Possession of a controlled substance under IC 35-48-4-7(a).
- (3) Fraudulently obtaining a controlled substance under IC 35-48-4-7(b).
- (4) Manufacture of paraphernalia as a Class D felony under IC 35-48-4-8.1(b).
- (5) Dealing in paraphernalia as a Class D felony under IC 35-48-4-8.5(b).
- (6) Possession of paraphernalia as a Class D felony under IC 35-48-4-8.3(b).
- (7) Possession of marijuana, hash oil, or hashish as a Class D felony under IC 35-48-4-11.
- (8) Maintaining a common nuisance under IC 35-48-4-13.
- (9) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.
- (10) Conspiracy under IC 35-41-5-2 to commit an offense listed in subdivisions (1) through (9).



(11) Attempt under IC 35-41-5-1 to commit an offense listed in subdivisions (1) through (9).

(12) An offense in another jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described under subdivisions (1) through (11).

(c) The board shall revoke or suspend a license or certificate issued under this chapter if the individual who holds the license or certificate is convicted of any of the following:

(1) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.

(2) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.

(3) Dealing in a schedule IV controlled substance under IC 35-48-4-3.

(4) Dealing in a schedule V controlled substance under IC 35-48-4-4.

(5) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5.

(6) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.

(7) Dealing in a counterfeit substance under IC 35-48-4-5.

(8) Dealing in marijuana, hash oil, or hashish under IC 35-48-4-10(b).

(9) Conspiracy under IC 35-41-5-2 to commit an offense listed in subdivisions (1) through (8).

(10) Attempt under IC 35-41-5-1 to commit an offense listed in subdivisions (1) through (8).

(11) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described under subdivisions (1) through (10).

(12) A violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

SECTION 9. IC 15-5-1.1-8.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8.7. (a) As used in this section, "bureau" means the child support bureau of the division of family and children established by IC 12-17-2-5.

(b) As used in this section, "delinquent" means at least:



- 1 (1) two thousand dollars (\$2,000); or
 2 (2) three (3) months;
 3 past due on payment of court ordered child support.
 4 (c) Upon receiving an order of a court issued under
 5 IC 31-14-12-5 or IC 31-16-12-8 (or IC 31-1-11.5-13(k) or
 6 IC 31-6-6.1-16(k) before their repeal), the board shall:
 7 (1) suspend the license, registration, or permit of the
 8 practitioner; or
 9 (2) deny the application of the applicant;
 10 who is the subject of the order.
 11 (d) Upon receiving an order of a court issued under
 12 IC 31-14-12-5 or IC 31-16-12-8 (or IC 31-1-11.5-13(k) or
 13 IC 31-6-6.1-16(k) before their repeal), the board shall promptly
 14 mail a notice to the last known address of the person who is the
 15 subject of the order, stating the following:
 16 (1) That the practitioner's license, registration, or permit has
 17 been suspended, beginning five (5) business days after the date
 18 the notice is mailed, and that the suspension terminates ten
 19 (10) business days after the board receives an order allowing
 20 reinstatement from the court that issued the suspension order.
 21 (2) That the practitioner has the right to petition the court
 22 that issued the order for suspension for reinstatement of the
 23 practitioner's license, registration, or permit.
 24 (e) The board may not reinstate a license, registration, or permit
 25 suspended under this section until the board receives an order
 26 allowing reinstatement from the court that issued the order for
 27 suspension.
 28 (f) The board shall, upon receiving an order from the bureau
 29 under IC 12-17-2-34(e), send a notice to the practitioner identified
 30 by the bureau that does the following:
 31 (1) Specifies that the practitioner is delinquent and is subject
 32 to an order placing the practitioner on probationary status.
 33 (2) Describes the amount of child support that the practitioner
 34 is in arrears.
 35 (3) Explains that unless the practitioner contacts the bureau
 36 and:
 37 (A) pays the practitioner's child support arrearage in full;
 38 (B) requests the activation of an income withholding order
 39 under IC 31-16-15-2 and establishes a payment plan with
 40 the bureau to pay the arrearage; or
 41 (C) requests a hearing under IC 12-17-2-35;
 42 within twenty (20) days after the date the notice is mailed, the

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board shall place the practitioner on probationary status.

(4) Explains that the practitioner may contest the bureau's determination that the practitioner is delinquent and subject to an order placing the practitioner on probationary status by making written application to the bureau within twenty (20) days after the date the notice is mailed.

(5) Explains that the only basis for contesting the bureau's determination that the practitioner is delinquent and subject to an order placing the practitioner on probationary status is a mistake of fact.

(6) Explains the procedures to:

(A) pay the practitioner's child support arrearage in full;

(B) establish a payment plan with the bureau to pay the arrearage;

(C) request the activation of an income withholding order under IC 31-16-15-2; and

(D) request a hearing under IC 12-17-2-35.

(7) Explains that the probation terminates ten (10) business days after the board receives a notice from the bureau that the practitioner has:

(A) paid the practitioner's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage and requested the activation of an income withholding order under IC 31-16-15-2.

(g) If the board is advised by the bureau that the practitioner requested a hearing and failed to appear or appeared and was found to be delinquent, the board shall promptly mail a notice to the practitioner who is the subject of the order stating the following:

(1) That the practitioner's license, registration, or permit has been placed on probationary status, beginning five (5) business days after the date the notice is mailed, and that the probation terminates ten (10) business days after the board receives a notice from the bureau that the person has:

(A) paid the person's child support arrearage in full; or

(B) established a payment plan with the bureau to pay the arrearage and requested the activation of an income withholding order under IC 31-16-15-2.

(2) That if the board is advised by the bureau that the practitioner whose license, registration, or permit has been placed on probationary status has failed to:

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- 1 (A) pay the person's child support arrearage in full; or
 2 (B) establish a payment plan with the bureau to pay the
 3 arrearage and request the activation of an income
 4 withholding order under IC 31-16-15-2;

5 within twenty (20) days after the date the notice is mailed, the
 6 board shall suspend the practitioner's license, registration, or
 7 permit.

8 (h) If the board is advised by the bureau that the practitioner
 9 whose license has been placed on probationary status has failed to:

- 10 (1) pay the person's child support arrearage in full; or
 11 (2) establish a payment plan with the bureau to pay the
 12 arrearage and request the activation of an income
 13 withholding order under IC 31-16-15-2;

14 within twenty (20) days after the date the notice is mailed, the
 15 board shall suspend the practitioner's license.

16 (i) The board may not reinstate a license or permit of a
 17 practitioner placed on probation or suspended under this section
 18 until the board receives a notice from the bureau that the person
 19 has:

- 20 (1) paid the person's child support arrearage in full; or
 21 (2) established a payment plan with the bureau to pay the
 22 arrearage and requested the activation of an income
 23 withholding order under IC 31-16-15-2.

24 SECTION 10. IC 15-5-1.1-8.8 IS ADDED TO THE INDIANA
 25 CODE AS A NEW SECTION TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 1999]: Sec. 8.8. (a) The board may allow the
 27 department of state revenue access to the name of a person who:

- 28 (1) is licensed under this chapter; or
 29 (2) has applied for a license under this chapter.

30 (b) If the department of state revenue notifies the bureau that
 31 a person is on the most recent tax warrant list, the bureau may not
 32 issue or renew the person's license until:

- 33 (1) the person provides to the bureau a statement from the
 34 department of state revenue that the person's delinquent tax
 35 liability has been satisfied; or
 36 (2) the bureau receives a notice from the commissioner of the
 37 department of state revenue under IC 6-8.1-8-2(k).

38 SECTION 11. IC 15-5-1.1-9 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 9. License and
 40 Registration Requirements and Exceptions. No person may practice
 41 veterinary medicine in this state **Indiana** unless ~~he~~ **the person** is a
 42 licensed **as a** veterinarian **in Indiana** or holds a special permit issued



by the board, and no person may act as a veterinary technician in ~~this~~
~~state Indiana~~ unless ~~he the person~~ is a registered ~~as a~~ veterinary
 technician ~~in Indiana~~ or holds a special permit issued by the board.
~~except: The following persons are not required to meet the licensing~~
~~and registration requirements under this chapter:~~

(1) A veterinarian on the faculty of the School of Veterinary
 Medicine at Purdue University performing ~~his~~ regular duties, or
 a veterinarian employed by the animal disease diagnostic
 laboratory performing ~~his~~ regular duties.

(2) A veterinarian employed by a federal, state, or local
 government agency performing ~~his~~ official duties.

(3) An individual who is a regular student in an accredited college
 of veterinary medicine or veterinary technology performing duties
 or actions assigned by ~~his~~ instructors or working under the direct
 supervision of a licensed veterinarian.

(4) An extern.

(5) A veterinarian licensed and resident in another state or nation
 who occasionally consults with a licensed veterinarian.

(6) The owner of an animal or ~~his a~~ regular employee **of the**
owner caring for and treating that animal, except where the
 ownership of the animal was transferred for purposes of
 circumventing this chapter.

(7) A guest lecturing or giving instructions or demonstrations at
 the School of Veterinary Medicine at Purdue University, or
 elsewhere, in connection with a continuing education program.

(8) An individual while engaged in bona fide scientific research
 which reasonably requires experimentation involving animals.

(9) A graduate of a foreign college of veterinary medicine who is
 in the process of obtaining an ECFVG certificate and who is
 under the direct supervision of a licensed veterinarian. ~~and~~

(10) A veterinarian who is enrolled in a postgraduate instructional
 program in an accredited college of veterinary medicine,
 performing duties or actions assigned by ~~his~~ instructors or
 working under the direct supervision of a licensed veterinarian.

SECTION 12. IC 15-5-1.1-11 IS AMENDED TO READ AS
 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 11. (a) **As used in this**
subsection, "term" refers to an academic semester, trimester, or
quarter. A person desiring a license to practice veterinary medicine in
 this state shall make written application to the board. The application
 shall state that the applicant is:

(1) a graduate of an accredited college of veterinary medicine; **or**

(2) **enrolled in the last term of the last year of the veterinary**



1 **medical curriculum of an accredited school of veterinary**
 2 **medicine.**

3 **If the applicant is enrolled as a last term student as described by**
 4 **subdivision (2), a letter from the dean of the student's veterinary**
 5 **school confirming that the applicant is a last term student, attesting**
 6 **to the satisfactory academic standing of the student, and stating the**
 7 **date on which the degree is expected to be conferred upon the**
 8 **student must accompany the application.** A license to practice
 9 veterinary medicine in Indiana may not be issued until satisfactory
 10 proof has been furnished **to** the board either that the applicant has
 11 graduated from an accredited college of veterinary medicine or that ~~he~~
 12 **the applicant** is the holder of an Educational Commission for Foreign
 13 Veterinary Graduates (ECFVG) certificate. The application must show
 14 such reasonable information and proof as the board may require by
 15 rule. The application must be accompanied by the fee in the amount
 16 required under this chapter.

17 (b) When the board determines that the applicant possesses the
 18 proper qualifications, the board may grant the applicant a license. If an
 19 applicant is found not to be qualified to take the examination or for a
 20 license without examination, the executive secretary of the board shall
 21 immediately notify the applicant in writing of such finding and the
 22 grounds therefore. Applicants found unqualified may request a hearing
 23 on the question of their qualifications.

24 SECTION 13. IC 15-5-1.1-12 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 12. (a) The board shall
 26 hold at least one (1) examination for licensing veterinarians and one (1)
 27 examination for registering veterinary technicians each year but it may
 28 hold more. The ~~bureau~~ **board** shall give notice of the time and place
 29 for each examination at least ninety (90) days in advance of the date set
 30 for the examination. A person desiring to take an examination must
 31 make application at least forty-five (45) days before the date of the
 32 examination.

33 (b) The preparation, administration, and grading of examinations
 34 shall be approved by the board. Examinations shall be designed to test
 35 the examinee's knowledge of and proficiency in the subjects and
 36 techniques commonly taught in veterinary schools. To pass the
 37 examination, the examinee must demonstrate scientific and practical
 38 knowledge sufficient to prove to the board that the examinee is
 39 competent to practice veterinary medicine or to act as a veterinary
 40 technician, as the case may be. The board may adopt and use
 41 examinations approved by the National Board Examination Committee.

42 (c) To qualify for a license as a veterinarian or to be registered as a



1 veterinary technician, the applicant must attain a passing score in the
2 examinations.

3 (d) After the examinations, the ~~bureau~~ **board** shall notify each
4 examinee of the result of ~~his~~ **the examinee's** examinations and the
5 board shall issue a license or registration certificate, as appropriate, to
6 each individual who successfully completes the examinations and is
7 otherwise qualified. The ~~bureau~~ **board** shall keep a permanent record
8 of the issuance of each license or registration certificate.

9 (e) An individual who fails to pass the required examinations may
10 apply to take a subsequent examination. However, payment of the
11 examination fee shall not be waived.

12 (f) A license or registration certificate issued under this article is
13 valid for the remainder of the renewal period in effect on the date of
14 issuance.

15 SECTION 14. IC 15-5-1.1-15.1 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 15.1. (a) The board
17 may refuse to issue a registration or may issue a probationary
18 registration to an applicant for registration as a veterinary technician
19 under this chapter if **the applicant has been:**

20 (1) ~~the applicant has been~~ disciplined by a licensing entity of
21 another state or jurisdiction; ~~and or~~

22 (2) ~~the violation for which the applicant was disciplined~~ **engaged**
23 **in conduct in another state or jurisdiction that** has a direct
24 bearing on the applicant's ability to competently practice as a
25 veterinary technician in Indiana.

26 (b) Whenever issuing a probationary registration under this section,
27 the board may impose any or a combination of the following
28 conditions:

29 (1) Report regularly to the board upon the matters that are the
30 basis of the discipline of the other state or jurisdiction.

31 (2) Limit practice to those areas prescribed by the board.

32 (3) Continue or renew professional education.

33 (4) Engage in community service without compensation for a
34 number of hours specified by the board.

35 (c) The board shall remove any limitations placed on a probationary
36 registration issued under this section if the board finds after a hearing
37 that the deficiency that required disciplinary action has been remedied.

38 (d) This section does not apply to an individual who currently holds
39 a registration certificate under this chapter.

40 SECTION 15. IC 15-5-1.1-17 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 17. (a) A license issued
42 under this chapter is valid until the next renewal date described under



subsection (b).

(b) All licenses expire on October 15 in each odd-numbered year but may be renewed by application to the board and payment of the proper renewal fee. ~~In accordance with IC 25-1-5-4(c);~~ The ~~bureau~~ **board** shall mail a sixty (60) day notice of expiration to each licensed veterinarian and provide the veterinarian with a form for renewal. The ~~bureau~~ **board** shall issue a license renewal to each individual licensed under this chapter if the proper fee has been received and all other requirements for renewal of the license have been satisfied. Failure to renew a license on or before the expiration date automatically renders the license invalid without any action by the board.

SECTION 16. IC 15-5-1.1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 18. (a) A registration certificate issued under this chapter is valid until the next renewal date described under subsection (b).

(b) All registration certificates expire on January 1 of each even-numbered year but may be renewed by application to the board and payment of the proper renewal fee. ~~In accordance with IC 25-1-5-4(c);~~ The ~~bureau~~ **board** shall mail a sixty (60) day notice of expiration to each registered veterinary technician and provide the veterinary technician with a form for renewal. The ~~bureau~~ **board** shall issue a registration certificate renewal to each individual registered under this chapter, provided the proper fee has been received and all other requirements for renewal of the registration certificate have been satisfied. Failure to renew a registration certificate on or before the expiration date automatically renders the license invalid without any action by the board.

SECTION 17. IC 15-5-1.1-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 19. (a) An individual who practices veterinary medicine after ~~his~~ **the individual's** license has expired, **been revoked, or been placed on inactive status** or an individual who acts as a registered veterinary technician after ~~his~~ **the individual's** registration has expired, **been revoked, or been placed on inactive status** is in violation of this chapter.

(b) A veterinarian may renew an expired license or a veterinary technician may renew an expired registration certificate within five (5) years of the date of expiration by making written application for renewal and paying the fee ~~prescribed in section 20 or 21~~ **established by rules adopted under section 20.2** of this chapter. ~~After five (5) years have elapsed since the date of the expiration of a license or a registration certificate it may not be renewed; but the person may make application for a new license or registration certificate and take the~~



appropriate examinations. The board may adopt rules under IC 4-22-2 establishing the following:

(1) Continuing education requirements that must be met before an expired license or registration may be renewed.

(2) Prerequisites or conditions for the renewal of a license that has been expired for at least five (5) years.

~~(b)~~ (c) To have a license or registration placed on inactive status, a licensed veterinarian or registered veterinarian technician must notify the board in writing of the veterinarian's or technician's desire to have the license or registration placed on inactive status. If the board places the license or registration of a veterinarian or technician on inactive status, the board may shall waive the continuing education requirements, if any, and payment of the renewal fee of a licensed veterinarian or registered veterinary technician during the period he is on during the renewal period. A license or registration may be placed on inactive status during the period:

(1) the veterinarian or technician is on active duty with any branch of the armed services of the United States;

(2) the veterinarian or technician is in the Peace Corps; or

(3) the veterinarian or technician is in an doing alternative service. However, the board may not waive the fee for a period that exceeds three (3) years or the duration of a national emergency, whichever is longer. during a time of national emergency;

(4) the veterinarian or technician is suffering from a severe medical condition that would prevent the veterinarian or technician from meeting the requirements of the board;

(5) after the veterinarian or technician retires; or

(6) established by rules adopted under IC 4-22-2 by the board.

A veterinarian or technician that is retired and on inactive status may not maintain an office or otherwise practice veterinary medicine. The board may adopt rules under IC 4-22-2 that establish prerequisites or conditions for the reactivation of an inactive license or registration.

SECTION 18. IC 15-5-1.1-20.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 20.2. The board shall may establish by rule adopted under ~~IC 25-1-8~~ IC 4-22-2 fees sufficient to implement this chapter. The fees established under this section shall be charged and collected by the ~~bureau~~ board or the board's designee.

SECTION 19. IC 15-5-1.1-23 IS AMENDED TO READ AS



FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 23. Upon written complaint sworn to by any individual, the board may, by the concurrence of four (4) members, after a hearing and based upon findings of fact, discipline a registered veterinary technician by revoking or suspending ~~his~~ **the technician's** registration for a time certain, placing ~~him~~ **the technician** on probation, or by any other appropriate means for any of the following reasons:

(1) The use of fraud, misrepresentation, or deception in obtaining ~~his~~ **a** registration.

(2) Chronic inebriety, or the unlawful use of a controlled substance.

(3) The use of advertising or solicitation which is false or misleading or is otherwise deemed unprofessional under rules promulgated by the board.

(4) Conviction of or a plea of guilty to the charge of a felony or misdemeanor involving moral turpitude.

(5) Incompetence, gross negligence, or malpractice in performing as a registered veterinary technician.

(6) Cruelty to animals.

(7) Representing ~~himself~~ **the technician** as a veterinarian.

(8) Disciplinary action taken against the technician's registration by the board or by the licensing agency of any other state or jurisdiction by reason of the technician's inability to practice safely as a registered veterinary technician, if the reason is valid in the opinion of the board.

SECTION 20. IC 15-5-1.1-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 25. ~~Identification of Registered Veterinary Technicians~~: (a) During working hours or when actively performing ~~his~~ **the technician's** duties, a registered veterinary technician must wear a unique mark of identification on his clothing approved by the board that identifies him as a registered veterinary technician.

(b) A registered veterinary technician may use the title "registered veterinary technician" or the abbreviation "R.V.T.".

(c) No individual, other than a registered veterinary technician may advertise or offer ~~his~~ **the individual's** services in a manner calculated to lead others to believe that ~~he~~ **the individual** is a trained veterinary technician or a registered veterinary technician.

SECTION 21. IC 15-5-1.1-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 26. ~~Restrictions on Registered Veterinary Technicians~~: A registered veterinary technician may not diagnose, prognose, prescribe medical or surgical treatment,



1 or perform as a surgeon. However, ~~he~~ **the technician** may perform
 2 routine procedures defined by board rules while under the direct
 3 supervision of a licensed veterinarian who shall be responsible for ~~his~~
 4 **the technician's** performance.

5 SECTION 22. IC 15-5-1.1-27 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 27. ~~Direct Supervision~~
 7 ~~of Veterinary Employees~~: A licensed veterinarian who is required to
 8 directly supervise an employee must be present within ~~his~~ **the**
 9 **veterinarian's** usual practice area, able to communicate directly with
 10 ~~his~~ **the** employee at all times that the employee is performing animal
 11 health care, and prepared to personally assume treatment, if necessary
 12 for the welfare of the animal. Direct communication may be verbal, by
 13 telephone, or by two-way radio. Such instructions must be recorded by
 14 the employee and repeated by ~~him~~ **the employee** to ~~his~~ **the employee's**
 15 supervising licensed veterinarian.

16 SECTION 23. IC 15-5-1.1-28 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 28. ~~Display of~~
 18 ~~Certificates~~: The holder of a license or special permit to practice
 19 veterinary medicine or of a registration or special permit to act as a
 20 veterinary technician, must display ~~his~~ **the** certificate of license,
 21 registration, or special permit in such a manner as to be visible and
 22 readable by persons in the office of the veterinarian.

23 SECTION 24. IC 15-5-1.1-29 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 29. ~~Prescriptions~~: A
 25 licensed veterinarian may write prescriptions and ~~his~~ **the** prescriptions
 26 shall be given the same recognition by druggists and pharmacists as
 27 they give the prescriptions of persons holding an unlimited license to
 28 practice medicine or osteopathic medicine.

29 SECTION 25. IC 15-5-1.1-30 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 30. ~~Emergencies~~:
 31 Notwithstanding any other provision in this chapter, in an emergency,
 32 in the absence of ~~his~~ **the** licensed veterinarian employer, an employee
 33 may perform the duties it is lawful for ~~him~~ **the employee** to perform
 34 under the direct supervision of a licensed veterinarian in accordance
 35 with the rules of the board and the written authority of ~~his~~ **the** licensed
 36 veterinary employer.

37 SECTION 26. IC 15-5-1.1-31 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 31. ~~Good Samaritan~~
 39 ~~Deeds~~: A licensed veterinarian or a registered veterinary technician
 40 who on ~~his~~ **the technician's** own initiative gives emergency treatment
 41 to a sick or injured animal is not liable in damages to the owner of such
 42 animal in the absence of gross negligence. If a licensed veterinarian

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performs euthanasia on the animal, there is a presumption that such was a humane act, necessary to relieve it of pain and suffering.

SECTION 27. IC 15-5-1.1-33 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 33. ~~Abandoned Animals.~~ (a) An animal placed in the custody of a veterinarian shall be considered to be abandoned five (5) days after the veterinarian has given written notice to the individual who delivered the animal to ~~him~~ **the veterinarian** that the animal should be reclaimed by the individual. Such written notice shall be delivered to the place given by the individual as his mailing address at the time he delivered the animal to the veterinarian.

(b) Abandonment of an animal under this section constitutes the relinquishment of all rights and claims by the owner of the animal and it may be sold or otherwise disposed of as the veterinarian may see fit and the purchaser or donee of the animal shall receive full and clear title to the animal.

(c) The giving of notice as provided in this section relieves the veterinarian and all persons who receive such an animal from the veterinarian of criminal or civil liability.

(d) The individual who delivered an animal abandoned under this section is liable for all reasonable and customary expenses incurred for diagnosis, treatment, hospitalization, surgery, board, euthanasia, and disposal of the abandoned animal.

SECTION 28. IC 15-5-1.1-34 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 34. A person who knowingly:

- (1) practices veterinary medicine in this state without a license or special permit to practice veterinary medicine issued by the board; or
- (2) supplies false information on ~~his~~ **an** application for a license as a veterinarian;

commits a Class B misdemeanor.

SECTION 29. IC 15-5-1.1-35 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 35. A person who knowingly:

- (1) acts as a registered veterinary technician in this state without being registered as a veterinary technician with the board or having a special permit issued by the board; or
- (2) supplies false information on ~~his~~ **an** application for registration as a veterinary technician;

commits a Class B misdemeanor.

SECTION 30. IC 15-5-1.1-37 IS ADDED TO THE INDIANA



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CODE AS A NEW SECTION TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 1999]: **Sec. 37. (a) Except as provided in subsections (b) and (c), the board shall adopt rules under IC 4-22-2 that subject the board and individuals licensed under this chapter to the same procedures and standards of practice as those required by IC 25-1-9, including the notice provisions for a summary suspension of a license under IC 25-1-9-10(b) and IC 25-1-9-10(c), except to the extent the procedures and standards specifically do not apply to the practice of veterinary medicine.**

(b) Rules adopted under subsection (a) must require the board to perform the same functions as are performed under IC 25-1-9 by the consumer protection division of the office of the attorney general and the health professions bureau.

(c) The board may adopt rules under IC 4-22-2 providing informal procedures designed to simplify the settlement of matters in a manner that reduces the need for formal procedures. Rules adopted under this subsection must be consistent with IC 4-21.5.

SECTION 31. IC 25-1-2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 6. (a) As used in this section, "license" includes all occupational and professional licenses, registrations, permits, and certificates issued under the Indiana Code, and "licensee" includes all occupational and professional licensees, registrants, permittees, and certificate holders regulated under the Indiana Code.**

(b) This section applies to the following entities that regulate occupations or professions under the Indiana Code:

- (1) Indiana board of accountancy.
- (2) Indiana grain buyers and warehouse licensing agency.
- (3) Indiana auctioneer commission.
- (4) Board of registration for architects.
- (5) State board of barber examiners.
- (6) State board of cosmetology examiners.
- (7) Medical licensing board of Indiana.
- (8) Secretary of state.
- (9) State board of dental examiners.
- (10) State board of funeral and cemetery service.
- (11) Worker's compensation board of Indiana.
- (12) Indiana state board of health facility administrators.
- (13) Committee of hearing aid dealer examiners.
- (14) Indiana state board of nursing.
- (15) Indiana optometry board.
- (16) Indiana board of pharmacy.



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- 1 (17) Indiana plumbing commission.
- 2 (18) Board of podiatric medicine.
- 3 (19) Private detectives licensing board.
- 4 (20) State board of registration for professional engineers.
- 5 (21) Board of environmental health specialists.
- 6 (22) State psychology board.
- 7 (23) Indiana real estate commission.
- 8 (24) Speech-language pathology and audiology board.
- 9 (25) Department of natural resources.
- 10 (26) State boxing commission.
- 11 (27) Board of chiropractic examiners.
- 12 (28) Mining board.
- 13 (29) ~~Indiana board of veterinary medical examiners.~~
- 14 ~~(30)~~ State department of health.
- 15 ~~(31)~~ (30) Indiana physical therapy committee.
- 16 ~~(32)~~ (31) Respiratory care committee.
- 17 ~~(33)~~ (32) Occupational therapy committee.
- 18 ~~(34)~~ (33) Social worker, marriage and family therapist, and
- 19 mental health counselor board.
- 20 ~~(35)~~ (34) Real estate appraiser licensure and certification board.
- 21 ~~(36)~~ (35) State board of registration for land surveyors.
- 22 ~~(37)~~ (36) Physician assistant committee.
- 23 ~~(38)~~ (37) Indiana dietitians certification board.
- 24 ~~(39)~~ (38) Indiana hypnotist committee.
- 25 ~~(40)~~ (39) Any other occupational or professional agency created
- 26 after June 30, 1981.

27 (c) Notwithstanding any other law, the entities included in
 28 subsection (b) shall send a notice of the upcoming expiration of a
 29 license to each licensee at least sixty (60) days prior to the expiration
 30 of the license. The notice must inform the licensee of the need to renew
 31 and the requirement of payment of the renewal fee. If this notice of
 32 expiration is not sent by the entity, the licensee is not subject to a
 33 sanction for failure to renew if, once notice is received from the entity,
 34 the license is renewed within forty-five (45) days of the receipt of the
 35 notice.

36 SECTION 32. IC 25-1-5-3 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) There is
 38 established the health professions bureau. The bureau shall perform all
 39 administrative functions, duties, and responsibilities assigned by law
 40 or rule to the executive director, secretary, or other statutory
 41 administrator of the following:

- 42 (1) Board of chiropractic examiners (IC 25-10-1).



- 1 (2) State board of dental examiners (IC 25-14-1).
- 2 (3) Indiana state board of health facility administrators
- 3 (IC 25-19-1).
- 4 (4) Medical licensing board of Indiana (IC 25-22.5-2).
- 5 (5) Indiana state board of nursing (IC 25-23-1).
- 6 (6) Indiana optometry board (IC 25-24).
- 7 (7) Indiana board of pharmacy (IC 25-26).
- 8 (8) Board of podiatric medicine (IC 25-29-2-1).
- 9 (9) Board of environmental health specialists (IC 25-32).
- 10 (10) Speech-language pathology and audiology board
- 11 (IC 25-35.6-2).
- 12 (11) State psychology board (IC 25-33).
- 13 ~~(12) Indiana board of veterinary medical examiners (IC 15-5-1.1).~~
- 14 ~~(13) Controlled substances advisory committee (IC 35-48-2-1).~~
- 15 ~~(14) (13) Committee of hearing aid dealer examiners (IC 25-20).~~
- 16 ~~(15) (14) Indiana physical therapy committee (IC 25-27).~~
- 17 ~~(16) (15) Respiratory care committee (IC 25-34.5).~~
- 18 ~~(17) (16) Occupational therapy committee (IC 25-23.5).~~
- 19 ~~(18) (17) Social worker, marriage and family therapist, and~~
- 20 ~~mental health counselor board (IC 25-23.6).~~
- 21 ~~(19) (18) Physician assistant committee (IC 25-27.5).~~
- 22 ~~(20) (19) Indiana athletic trainers board (IC 25-5.1-2-1).~~
- 23 ~~(21) (20) Indiana dietitians certification board (IC 25-14.5-2-1).~~
- 24 ~~(22) (21) Indiana hypnotist committee (IC 25-20.5-1-7).~~

(b) Nothing in this chapter may be construed to give the bureau policy making authority, which authority remains with each board.

SECTION 33. IC 25-1-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter:

"Board" means the appropriate agency listed in the definition of regulated occupation in this section.

"Director" refers to the director of the division of consumer protection.

"Division" refers to the division of consumer protection, office of the attorney general.

"Licensee" means a person who is:

(1) licensed, certified, or registered by a board listed in this section; and

(2) the subject of a complaint filed with the division.

"Person" means an individual, a partnership, a limited liability company, or a corporation.

"Regulated occupation" means an occupation in which a person is



licensed, certified, or registered by one (1) of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects (IC 25-4-1-2).
- (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- (4) State board of barber examiners (IC 25-7-5-1).
- (5) State boxing commission (IC 25-9-1).
- (6) Board of chiropractic examiners (IC 25-10-1).
- (7) State board of cosmetology examiners (IC 25-8-3-1).
- (8) State board of dental examiners (IC 25-14-1).
- (9) State board of funeral and cemetery service (IC 25-15-9).
- (10) State board of registration for professional engineers (IC 25-31-1-3).
- (11) Indiana state board of health facility administrators (IC 25-19-1).
- (12) Medical licensing board of Indiana (IC 25-22.5-2).
- (13) Indiana state board of nursing (IC 25-23-1).
- (14) Indiana optometry board (IC 25-24).
- (15) Indiana board of pharmacy (IC 25-26).
- (16) Indiana plumbing commission (IC 25-28.5-1-3).
- (17) Board of podiatric medicine (IC 25-29-2-1).
- (18) Board of environmental health specialists (IC 25-32-1).
- (19) State psychology board (IC 25-33).
- (20) Speech-language pathology and audiology board (IC 25-35.6-2).
- (21) Indiana real estate commission (IC 25-34.1-2).
- ~~(22) Indiana board of veterinary medical examiners (IC 15-5-1-1).~~
- ~~(23)~~ Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.
- ~~(24)~~ **(23)** Respiratory care committee (IC 25-34.5).
- ~~(25)~~ **(24)** Private detectives licensing board (IC 25-30-1-5.1).
- ~~(26)~~ **(25)** Occupational therapy committee (IC 25-23.5).
- ~~(27)~~ **(26)** Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- ~~(28)~~ **(27)** Real estate appraiser licensure and certification board (IC 25-34.1-8).
- ~~(29)~~ **(28)** State board of registration for land surveyors (IC 25-21.5-2-1).
- ~~(30)~~ **(29)** Physician assistant committee (IC 25-27.5).
- ~~(31)~~ **(30)** Indiana athletic trainers board (IC 25-5.1-2-1).
- ~~(32)~~ **(31)** Indiana dietitians certification board (IC 25-14.5-2-1).
- ~~(33)~~ **(32)** Indiana hypnotist committee (IC 25-20.5-1-7).
- ~~(34)~~ **(33)** Indiana physical therapy committee (IC 25-27).

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~~(35)~~ **(34)** Any other occupational or professional agency created after June 30, 1981.

SECTION 34. IC 25-1-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects (IC 25-4-1-2).
- (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- (4) State board of barber examiners (IC 25-7-5-1).
- (5) State boxing commission (IC 25-9-1).
- (6) Board of chiropractic examiners (IC 25-10-1).
- (7) State board of cosmetology examiners (IC 25-8-3-1).
- (8) State board of dental examiners (IC 25-14-1).
- (9) State board of funeral and cemetery service (IC 25-15).
- (10) State board of registration for professional engineers (IC 25-31-1-3).
- (11) Indiana state board of health facility administrators (IC 25-19-1).
- (12) Medical licensing board of Indiana (IC 25-22.5-2).
- (13) Mining board (IC 22-10-1.5-2).
- (14) Indiana state board of nursing (IC 25-23-1).
- (15) Indiana optometry board (IC 25-24).
- (16) Indiana board of pharmacy (IC 25-26).
- (17) Indiana plumbing commission (IC 25-28.5-1-3).
- (18) Board of environmental health specialists (IC 25-32-1).
- (19) State psychology board (IC 25-33).
- (20) Speech-language pathology and audiology board (IC 25-35.6-2).
- (21) Indiana real estate commission (IC 25-34.1-2-1).
- (22) ~~Indiana board of veterinary medical examiners (IC 15-5-1.1-3).~~
- ~~(23)~~ Department of insurance (IC 27-1).
- ~~(24)~~ **(23)** State police department (IC 10-1-1-1), for purposes of certifying polygraph examiners under IC 25-30-2.
- ~~(25)~~ **(24)** Department of natural resources for purposes of licensing water well drillers under IC 25-39-3.
- ~~(26)~~ **(25)** Private detectives licensing board (IC 25-30-1-5.1).
- ~~(27)~~ **(26)** Occupational therapy committee (IC 25-23.5-2-1).
- ~~(28)~~ **(27)** Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6-2-1).
- ~~(29)~~ **(28)** Real estate appraiser licensure and certification board (IC 25-34.1-8).



~~(30)~~ **(29)** State board of registration for land surveyors
(IC 25-21.5-2-1).

~~(31)~~ **(30)** Physician assistant committee (IC 25-27.5).

~~(32)~~ **(31)** Indiana athletic trainers board (IC 25-5.1-2-1).

~~(33)~~ **(32)** Board of podiatric medicine (IC 25-29-2-1).

~~(34)~~ **(33)** Indiana dietitians certification board (IC 25-14.5-2-1).

~~(35)~~ **(34)** Indiana physical therapy committee (IC 25-27).

~~(36)~~ **(35)** Any other occupational or professional agency created
after June 30, 1981.

SECTION 35. IC 25-1-9-1 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this
chapter, "board" means any of the following:

(1) Board of chiropractic examiners (IC 25-10-1).

(2) State board of dental examiners (IC 25-14-1).

(3) Indiana state board of health facility administrators
(IC 25-19-1).

(4) Medical licensing board of Indiana (IC 25-22.5-2).

(5) Indiana state board of nursing (IC 25-23-1).

(6) Indiana optometry board (IC 25-24).

(7) Indiana board of pharmacy (IC 25-26).

(8) Board of podiatric medicine (IC 25-29-2-1).

(9) Board of environmental health specialists (IC 25-32).

(10) Speech-language pathology and audiology board
(IC 25-35.6-2).

(11) State psychology board (IC 25-33).

~~(12) Indiana board of veterinary medical examiners (IC 15-5-1-1).~~

~~(13)~~ **(13)** Indiana physical therapy committee (IC 25-27-1).

~~(14)~~ **(14)** Respiratory care committee (IC 25-34.5).

~~(15)~~ **(15)** Occupational therapy committee (IC 25-23.5).

~~(16)~~ **(16)** Social worker, marriage and family therapist, and
mental health counselor board (IC 25-23.6).

~~(17)~~ **(17)** Physician assistant committee (IC 25-27.5).

~~(18)~~ **(18)** Indiana athletic trainers board (IC 25-5.1-2-1).

~~(19)~~ **(19)** Indiana dietitians certification board (IC 25-14.5-2-1).

~~(20)~~ **(20)** Indiana hypnotist committee (IC 25-20.5-1-7).

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